is required. This position has been explained on the floor of the House when the House was discussing the Coal Nationalisation Act and I do not want to repeat that.

As for the question of selecting the Chairman, whether he should be technical or non-technical, a list of eligible candidates is sent to the Public Enterprises Selection Board. And it is the Public Enterprises Selection Board which interviews the candidates and gives the results. We have to go by the results of selection given by the Public Enterprises Selection Board which is an autonomous body. (*Interruptions*)

MR. CHAIRMAN : Question No. 62.

Amendment in the Labour Laws

*62 MISS SAROJ KHAPARDE : Will the Minister of LABOUR be pleased to state :

(a) whether the Punjab, Haryana and Delhi Chamber of Commerce and Industry has suggested that Government should have a fresh look at the existing labour laws as special provisions have now become outdated as per the report in 'The Hindustan Times' captioned: "Saboo for changes in Labour Laws" dated 20th November, 1994;

(b) if so, what are the facts thereof; and

(c) what action Government propose to take in the matter ?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA) : (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) The Government is aware of the Report that apeared in the 'Hindustan Times' dated the 20th October, 1994 under the Caption "Saboo for Changes in Labour Laws". However, no formal communication has been received from the Punjab, Haryana and Delhi Chambers of Commerce and industry in this regard.

(b) According to the report, Shri R.K. Saboo, the newly elected President of PHD Chambers of Commerce and Industry had favoured a fresh look at the existing Labour Laws as several provisions have now become outdated.

(c) The existing Labour Laws are constantly reviewed in favour Tripartite/Bipartite Fora and based on the recommendations of these bodies, amendments to various labour laws are made, whenever, and wherever considered necessary

MISS SAROJ KHAPARDE. Mr. Chairman, Sir, I have gone through the statement laid on the Table of the House by the hon. Minister. The answer to the question is a great disappointmet. At the outset, the question is with reference to "The Hindustan Times.' dated October 20, 1994 and not November 20, 1994, as wrongly mentioned in the question today.

Sir, the newly elected President of the Punjab, Haryana and Delhi Chamber of Commerce and Industry, Shri R. K. Saboo, has suggested a fresh look at the existing labour laws of the country because the basic thrust of the labour laws now should be to encourage productivity and efficiency, if the Indian industry has to be globally competitive. Therefore, I would like to know from the hon. Minister whether the Government has any proposal to amend the existing labour laws with a view to make Indian labour productive and

efficient and also to end all protection to inefficient labour; and, if so, the details thereof; if not,this is part (b) of my question how the Government proposes to improve productivity and efficiency in the Indian labour force in view of the fact that while protection of the industry has gone with the liberalisation process in the Indian economy, protection to the inefficient labour must also go, if our industry has to become globally competitive.

SHRI P. A. SANGMA : Sir, there are almost forty laws enacted by Parliament and the body which existed before Parliament, under the Central sphere, which governs the working class, its relationship with the industry and which gives various types of protection to the working class. On top of these forty legislations of the Central Government, if you take into account the various legislations passed by the respective State Legislatures, the number will come to almost hundred. I did not know as to which particular law the hon. Member was referring to. Therefore, it was not possible on my part to give a specific answer to this question because it does not point out a single legislation which she was aiming at. The labour laws in the country are constantly under review and with the changing times, we always review. Whenever the Government of India feels that certain changes are required or certain addition are required, we do come to the House and seek the approval of the House.

SHRI CHATURANAN MISHRA : But you do not stand for hire and fire.

SHRI P. A. SANGMA : For example, Sir, the Trade Union Bill was introduced in this House. It has been referred to the Department related Standing Committee of Parliament. It is there. The Bill on workers' participation is before Lok Sabha and an amendment to the Workers Compensation Act is before the Department-related Standing Committee of Parliament. Then introduction of a Pension Scheme for workers which will lead to more productivity is there because we are going to give social security to them. (*Interruptions*) It is also pending before this House. There are a large number of legislations pertaining to protection and welfare of workers which are before both the Houses of Parliament and, therefore, we are constantly looking into them and wherever changes are required, we bring them before Parliament for its approval.

श्री बीरेन्द्र कटारिया : मैं आपका धन्यवाद करता हूं कि आपने मुझे बोलने का अवसर दिया है । (**व्यवधान**) चेयरमैन साहब, मैं आपका शुक्रिया अदा करता हूं कि मुझ आपने सवाल पूछने का मौका दिया है और मैं वजीर साहब से यह जानना चाहता हूं कि उन्होंने अपने जवाब में यह कहा है कि जो लेबर लाज हैं, व कांस्टेंटली रिव्यू किये जाते हैं । मैं इनसे यह पूछना चाहता हूं कि लेबर लाज को कांस्टेंटली रिव्यू करते के बावजूद भी और नये लेबर लाज बनाने के बावजूद भी जो चाइल्ड लेबर है, वह बढ़ती जा रही है । लेबर ला अपनी जगह पर मौजूद है लेकिन चाइल्ड लेबर बढ़ती जा रही हैं । ये क्या-क्या कदम उठा रहे हैं कि चाइल्ड लेबर की जो एक्सप्लाइटेशन है, उसको कैसे दूर किया जाये ? इन लेबर लाज के बावजूद पिछले सालों में चाइल्ड लेबर की जो वर्किंग कंडीशन है, वह और भी खराब होती गई है । उनके वर्किंग आवर्स बढ़ रहे हैं, तनख्वाहें कम हो रही है ।

मैं वजीर साहब से यह जानना चाहता हूं कि सरकार प्रैक्टिकल तौर पर क्या कदम उठाने जा रही है कि जो आलरेडी लेबर ला चाइल्ड लेबर के बारे में है, वह स्ट्रिक्टली एनफोर्स किये जाऐं ?

SHRI P. A. SANGMA : Sir, we are all aware of the problem of child labour. The policy of the Government of India towards child labour has been two-pronged-one, legal protection is to be given as a result of which the Child Labour Abolition and Regulation Act was

passed by Parliament in 1976. This law is being reviewed and I should be able to come before Parliament with necessary changes. So, an amendment in the Act is also being contemplated.

It is not only this particular law which is being reviewed, but there are also other laws, which govern child labour, which are being reviewed. For example, Sir, the Minimum Wages Act makes a distinction between adult labour and child labour and the wages are fixed separately-higher for the adults and lower for the children. I am coming with an amendment to the Minimum Wages Act to give wages on a par. While we will make the children work for lesser hours, they will be entitled to get wages like those of the adults who are working. Like that Sir, the laws are being reviewed.

The second part of the policy is project-based because we understand-and that is also the understanding of the people in this country-that child labour is prevalent in our country mainly because of poverty and illiteracy and, therefore, a project-based programme has to be there. Sir, the House may remember that on 15th of August this year the Prime Minister announced that a special programme was to be launched in this country to eliminate child labour who are working in hazardous industries, and whose number is about two million in the country, by the turn of this century; and an amount of Rs. 850 crores had been earmarked for that. A National Authority for Elimination of Child Labour has been constituted, and we are very much concerned about this problem. We will do everything possible to see that by the turn of the century, the children working at least in hazardous industries are rescued and are given education, health and other facilities

SHRI VIRENDRA KATARIA: Sir, he has not replied to my question, why the present laws are not being implemented. What is wrong with them ? Why are they not implemented ? He is talking about introduction of new laws. I say why the present law which applies to child labour is not being impleme nted

SHRI P. A. SANGMA : Sir, I would slightly differ from the Members. It is not a fact that the laws are not being implemented. The laws are being implemented. There are certain laws where the appropriate Government is the Central Government and there are certain others where the appropriate Governments are the State Governments, and both the State Governments and the Central Government are trying to implement the labour laws; there is no doubt about it. The question is how effective is their implementation, and I must admit, being the Labour Minister, that I am going throughout the country, reviewing all these things. Yes, I admit that the implementation of labour laws is not up-to-date and we have to ensure that their effective implementation takes place. We are constantly discussing this matter.

SHRI G. SWAMINATHAN : Sir, under global competition, if an industry has to exist, it has to give consumer satisfaction to the utmost. Both capital and labour exist for the purpose of consumer satisfaction. If you do not give the consumer satisfaction under global competition, the industry will cease to exist. On the other hand, Sir, if you want to allow global competition, then productivity, competitiveness and quality have become a primary condition in industries, and this cannot be enforced only by management or only by labour. Unless both join together. we will not be able to bring about quality and increase productivity. In that way the labour laws have to be properly amended so that our industry is able to go ahead and complete with the world industry. That is the thing. Recently, Sir, I had been in U.K. There was a manifesto of the Labour Party laying strees on these matters also. In U.K. also, this

has come about. I would like to know from the hon. Labour Minister taking into account this thing and all other aspects, whether the labour laws would be reviewed so that quality is brought and productivity is increased.

SHRI P. A. SANGMA : Sir, the law is being reviewed. In fact, the Trade Union Bill is already before the House. As soon as it comes straight from the Standing Committee, the House can take it up for consideration of this Bill.

Another law, which is very relevant to the question which is being put by the hon. Member, is the Industrial Disputes Act. The Industrial Disputes Act has been reviewed by various Committees, at various forums, and also by a bipartite Committee called the Ramanujam Committee on the basis of this. Now the matter is before the Cabinet. I will not be able to give the details of the proposal on the floor of the House because it is before the Cabinet. The main thrust, the main objective of the proposal is to encourage more of a bipartite mechanism than the existing system of a tripartite mechanism. The industrial relations situation in the country cannot be cordial unless there is a perfect understanding between the workers and the employers. It is a question of human relationship. I can state that we have to change the management culture in this country; we have to change the work culture in this country. There has to be more understanding between the workers and the employers. Therefore, the main objective of the new amendments, which will be coming after the Cabinet approval, is to encourage bipartite mechanism as against the tripartite mechanism.

MR. CHAIRMAN : Shri Triloki Nath Chaturvedi.

SHRI TRILOKI NATH CHATURVEDI : Thank you, Mr, Chairman, Sir. It is not only the Punjab and Haryana Chamber of Commerce which has made this request for changes in the legislations, but also the foreign trade delegations and the multinationals have also made this demand and so also this demand has been made by many other industrial organisations like the ASSOSI, etc. The Finance Minister has talked very often of the exit policy and the Labour Minister has also talked about the exit policy assuring the workers that their interests will be protected. Therefore, through you, Sir, I would like to know from the Labour Minister, (a) whether he has asked the Ministry to make a study of the hundred State legislations which he has mentioned and to identify, consistent with the interests of the labour and taking into account the request which has been made, the specific changes which are to be made. Part (b) of my question is this. As regards the 40 legislations of the Central Government, Central Labour Laws-you have mentioned 40 of them what changes are your Ministry going to propose in consultation with the Ministry of Industry, the Ministry of Commerce, which is interested in exports, and the Ministry of Finance and also taking into account what the multinationals have told you

SHRI P. A. SANGMA : As far as the proposal for changes is concerned, it is not only consulted with the sister administrative Ministries of the Central Government or the respective State Governments, but it is also discussed, by practice-I should say, it is almost mandatory; it is not so but almost—with the representatives of the working class. There are ten central trade union organisations which are recognised by the Government of India. Every matter is discussed with them in a tripartite forum. Therefore, before the Government comes to any conclusion, consultation at the bipartite as well as tripartite levels takes place. This is the question and we have gone through the process wherever we have finally decided to bring changes. As far as the first part of your question, that is, the demand by the foreign delegations,

is concerned, I want to make it very clear that we will not go by the demands of the foreign delegations. We will go by what is good for the country and what is best in the national interest. We are not worried about what the foreign delegations want and what they don't want. Why should we do that ? What is good for India, we will do it, not, what others want us to do. I want to make it very clear.

MR. CHAIRMAN : Question No. 63.

Export of Table Butter

*63 SHRI K. R. MALKANI : Will the Minister of COMMERCE be pleased to state :

(a) whether Government have been exporting 300 to 400 tonnes of table butter inspite of its acute shortage in the country resulting in 50% increase in the prices of butter (vide The Hindustan Times of 16-11-94);

(b) the reasons for exporting this vital source of animal-protein when there is gross under-nourishment in the country;

(c) what are the reasons that animal-protein short India need a presence in the international butter market; and

(d) whether Government have the same view with the N.D.D.B. Chairman Dr. V. Kurien that butter is a luxury item ?

THE MINISTER OF COMMERCE (SHRI PRANAB MUKHERJEE) : (a) No, Sir. The actual quantity of butter exported between April—October, 1994 is 6 tonnes.

(*Source:* Agricultural and Processed Food Products Export Development Authority)

(b) to (d) Keeping in view the potential of exports in the Dairy Sector, it is necessary to maintain continuity of import and export policy to establish the country's reputation as a reliable supplier. The quantitative ceiling on the export of butter and ghee which was fixed at 7500 metric tonnes for the period October, 1993 to March, 1994 has been retained at the same level for the whole of 1994-95, even though the production of milk has been showing an upward trend. The small quantity exported does not materially affect the internal supply situation when the annual domestic market for butter is estimated at 25,000 metric tonnes.

SHRI K. R. MALKANI : Mr. Chairman, Sir, according to the hon. Minister's reply we have an annual export ceiling of 7,500 metric tonnes. This target is being maintained and it is going to be maintained. But, in the last six months they have exported only six metric tonnes of butter. Part (a) of my question is, since their target is 7,500 metric tonnes and they have exported only six metric tonnes, do they propose to export 7,494 metric tonnes in the next six months ? The part (b) of my question is this. The Minister has said that they want to maintain their reputation as a reliable supplier. When their target is more than 7000 metric tonnes and when they have exported only six metric tonnes, how would they maintain their reputation ? The part (c) of my question is this. I would like to know whether it is a fact that they are planning to import butter. Sir, two months back the butter position was worse. Why are they importing butter now ? Is it a fact that there is a difference of opinion between the Ministry of Civil Supplies and the Agriculture Ministry on this score ? The part (d) of my question is this.

THE CHAIRMAN : Mr. Malkani, I think you cannot go on like this.

SHRI K. R. MALKANI Okay, Sir.